

West Virginia Department of Environmental Protection
Division of Air Quality

Joe Manchin, III
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Operate



Pursuant to
Title V
of the Clean Air Act

Issued to:

SABIC Innovative Plastics US LLC ~~General Electric Company~~

~~GE Advanced Materials~~, Washington, WV

R30-10700010-2005

Part 1 of 5

John A. Benedict
Director

Issued: June 29, 2005 • Effective: July 14, 2005
Expiration: June 29, 2010 • Renewal: December 29, 2009

Permit Number: **R30-10700010-2005**, Part 1 of 5Permittee: SABIC Innovative Plastics US LLC ~~General Electric Company~~Facility Name: SABIC Innovative Plastics ~~GE Advanced Materials~~Permittee Mailing Address: **P.O. Box 68, Washington, WV 26181**

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location:	DuPont Road, Washington, Wood County, West Virginia
Telephone Number:	(304) 863-7231
Type of Business Entity:	<u>Limited Liability Company</u> Corporation
Facility Description:	Thermoplastics Manufacturing
SIC Codes:	2821
UTM Coordinates:	441.6 km Easting • 4345.2 km Northing • Zone 17

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

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ATTACHMENTS

ATTACHMENT A* - Part 63 Subpart JJJ – *National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins* applicable requirements

ATTACHMENT B - Certification of records (Attachment to the Permit R13-2486 and R13-1886~~EB~~)

ATTACHMENT C * - Part 63 Subpart DDDDD – *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters* applicable requirements

ATTACHMENT D - Sample Recordkeeping Form (Attachment A of the Permit R13-2486A)

ATTACHMENT E * - Part 63 Subpart EEEE – *National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)* applicable requirements

* For informational purposes only

1.0. Emission Units (for informational purposes only, not enforceable requirements):

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
<i>Tank Farm / Bulk Loading - Emission Unit Group 009</i>					
none	009-0S	Barge Unloading Station	1960's	not available	none
none	009-0S-LDAR	Equipment located between Barge Unloading Station and Storage Tanks ID 09-2505, 09-25074, 09-25077, 09-25083, 09-25048, 09-25049, 09-25076, 09-25082	1960's	not available	none
none	009-0Y	Railcar and Truck Unloading Stations (unloading transfer racks #1, #2)	1956	not available	none
none	009-0Y-LDAR	Equipment located between Railcar and Truck Unloading Stations and Storage Tanks ID 09-25078, 0925-075, 09-25009, 09-2505, 09-25074, 09-25077, 09-25083, 09-25048, 09-25049, 09-25076, 09-25082	1956	not available	none
none	009-0R	Loading Station	1963	not available	none
12-08033	009-0T	Fuel Dispensing Station: Above Ground Unleaded gasoline Tank	1991		none
12-08032	009-0T	Fuel Dispensing Station: Above Ground Road grade diesel fuel Tank	1991		none
none	009-0U	Latex Loading Station		not available	none
09-25078	009-0V	Storage Tank, north	1967		Internal floating roof
09-25075	009-0Q	Storage Tank, south	1963		Internal floating roof
09-25048	009-0C	Storage Tank #4	1962		none
09-25049	009-0D	Storage Tank #5	1962		none
09-25076	009-0E	Storage Tank #6	1970		none
09-25082	009-0F	Storage Tank #7	1970		none
09-25001	009-04	Tank	1956		none
09-25002	009-05	Tank	1956		none
09-25003	009-06	Tank	1956		none
09-25094	009-07	Tank	1979		none
09-25010	009-09	Tank, north	1957/1996		30B-12130 11D-01001
09-25011	009-0A	Tank, south	1957/1996		30B-12130 11D-01001

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
09-25009	009-08	Tank	1957		30B-12130 11D-01001
10-08105	009-0G	Tank	1986		none
09-25100	009-15	Tank, east	1991		none
09-25099	009-16	Tank, west	1991		none
09-25103	009-14	Tank	1997		none
09-25050	not applicable	Pressure Vessel	1962		none
09-25074	not applicable	Pressure Vessel	1963		none
09-25077	not applicable	Pressure Vessel	1966		none
09-25083	not applicable	Pressure Vessel	1969		none
<i>Boiler House - Emission Unit Group 007</i>					
03-01003	007-03	Boiler #3	1966	72 MMBtu/hr	none
03-01004	007-04	Boiler #4	1966	132 MMBtu/hr	none
03-01005	007-06	Boiler #5 (natural gas-fired) - Rentech	2004	146 MMBtu/hr	none
04-07001	007-05	Process Cooling Tower #1	1967	2,500 gpm	none
04-07003	007-05	Process Cooling Tower #3	1989	2,500 gpm	none
<i>Wastewater Treatment Plant - Emission Unit Group 008</i>					
07-16104	none	Backup Electric Generator	2002	483 HP	none
WWTP	008-06	Wastewater Treatment Process	1970	2,500 gpm	none
<i>Control Devices</i>					
30B-12130 11D-01001	001-05 (LX 14) 00A-03 (MD 37)	Latex CTO Finishing D Thermal Oxidizer	1957 1991	3.0 3.1 MMBtu/hr	n/a

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

CAAA	Clean Air Act Amendments	PM₁₀	Particulate Matter less than 10µm in diameter
CBI	Confidential Business Information		
CEM	Continuous Emission Monitor	pph	Pounds per Hour
CES	Certified Emission Statement	ppm	Parts per Million
C.F.R. or CFR	Code of Federal Regulations	PSD	Prevention of Significant Deterioration
CO	Carbon Monoxide		
C.S.R. or CSR	Codes of State Rules	psi	Pounds per Square Inch
DAQ	Division of Air Quality	SIC	Standard Industrial Classification
DEP	Department of Environmental Protection	SIP	State Implementation Plan
FOIA	Freedom of Information Act	SO₂	Sulfur Dioxide
HAP	Hazardous Air Pollutant	TAP	Toxic Air Pollutant
HON	Hazardous Organic NESHAP	TPY	Tons per Year
HP	Horsepower	TRS	Total Reduced Sulfur
lbs/hr or lb/hr	Pounds per Hour	TSP	Total Suspended Particulate
LDAR	Leak Detection and Repair	USEPA	United States Environmental Protection Agency
m	Thousand		
MACT	Maximum Achievable Control Technology	UTM	Universal Transverse Mercator
mm	Million		
mmBtu/hr	Million British Thermal Units per Hour	VEE	Visual Emissions Evaluation
mmft³/hr or mmcf/hr	Million Cubic Feet Burned per Hour	VOC	Volatile Organic Compounds
NA or N/A	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		
NO_x	Nitrogen Oxides		
NSPS	New Source Performance Standards		
PM	Particulate Matter		

2.3. Permit Expiration and Renewal

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
 - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
 - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
 - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

[45CSR§30-5.8]

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

[45CSR§30-5.8.a.]

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.

- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
- b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
- c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
 - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

[45CSR§30-5.7.d.]

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically

identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

2.24. Property Rights

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

[45CSR§30-5.1.a.2.]

1.0 Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]
- 3.1.7. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.8. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.

- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

- 3.1.9. **Risk Management Plan.** This stationary source, as defined in 40 C.F.R. § 68.3, is subject to Part 68. This stationary source shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10. This stationary source shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

[40 C.F.R. 68]

- 3.1.10. The Company agrees that construction or modification of any emission source having maximum theoretical emissions of VOC equaling or exceeding six pounds per hour after May 1, 1996 shall require the prior approval by the Director of an emission control plan that meets the definition of Reasonably Available Control Technology (RACT) on a case-by-case basis for both fugitive and non-fugitive VOC emissions from such source. All RACT control plans for sources constructed or modified (as defined herein) after May 1, 1996 shall be embodied in a permit in accordance with 45CSR13 or 45CSR30. Physical changes to or changes in the method of operation of an existing emission source listed or required to be listed in Attachment A (to the Consent Order CO-R21-97-32) which do not result in an increase in its potential to emit VOCs in a cumulative amount of two pounds per hour or five tons per year or more (with cumulative accounting commencing on the date of entry into the Consent Order CO-R21-97-32), shall not require submittal of a RACT plan, provided that, the Company continues to comply with its facility wide VOC emission reduction requirement (RACM or AERP). Existing sources with current maximum theoretical emissions below the threshold of six pounds per hour shall not be required to submit RACT plans, if a modification causes an increase in the maximum emissions that results in the source exceeding the six pound per hour level for the first time, as long as the increase is less than the two pounds per hour or the five tons per year trigger.

[Consent Order CO-R21-97-32, III.7. State-Enforceable only.]

- 3.1.11. In the event that the DAQ finds that a violation of the National Ambient Air Quality Standards ("NAAQS") for ozone (that were in effect on or before May 1, 1996) has occurred after the effective date of CO-R21-97-32, the Company agrees to submit to the DAQ a plan within one hundred eighty (180) days of notification of such a finding for complete, facility-wide implementation of RACT requirements and shall fully implement such plan within two (2) years of its approval by the DAQ.

[Consent Order CO-R21-97-32, III.9. State-Enforceable only.]

3.2. Monitoring Requirements

- 3.2.1. No facility-wide monitoring requirements are applicable to the facility.

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set

forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15) and 45CSR13]

3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
 - a. The date, place as defined in this permit and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of the analyses; and

- f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.]

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

[45CSR§30-5.1.c.2.B.]

- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§30-5.1.c. State-Enforceable only.]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

[45CSR§§30-4.4. and 5.1.c.3.D.]

- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

[45CSR§30-5.1.c.3.E.]

- 3.5.3. All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.

Proof of payment of the appropriate fee shall be maintained at the site and shall be made available for inspection by the Secretary or his/her duly authorized representative.

[45CSR§30-8.]

- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site, or accessible electronically at the site, for five (5) years from submittal of the certification.

[45CSR§30-5.3.e.]

- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.

[45CSR§30-5.1.c.3.A.]

- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

- 3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

[45CSR§30-5.1.c.3.B.]

- c. Every report submitted under this subsection shall be certified by a responsible official.

[45CSR§30.5.1.c.3.D.]

- 3.5.9. **New applicable requirements.** If any applicable requirement becomes effective during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

- 3.5.10. If the emissions of any TAP unknown to be occurring on the date of entry of CO-R27-92-18 (June 23, 1992) and which are not addressed by this Permit and are discovered by the Company, the Company shall notify the Director within fifteen (15) days of such discovery. Unless the Director determines these emissions to be insignificant, the Company shall submit a Compliance Program for control of this emission within sixty (60) days of the date of such notification. Upon determination by the Director that the Compliance Program for such source represents BAT, the Division of Air Quality shall, in its discretion, consider such program for inclusion as an amendment to CO-R27-92-18 or for entry as a separate Consent Order and determine any conditions to be met for approval and entry of such Consent Order or Amended Consent Order.

[Consent Order CO-R27-92-18, III.4. State-Enforceable only.]

3.6. Compliance Plan

None

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

- a. 40 CFR 60 Subpart D - Standards of Performance for Fossil-Fuel-fired Steam Generators constructed after August 17, 1971

Basis for Applicability Determination: Applies to steam generation units with heat input > 250 MMBtu/hr, and were constructed, reconstructed, or modified after 8/17/71. Units at the ~~GE-Washington~~ facility are < 250 MMBtu/hr.

- b. 40 CFR 60 Subpart Db - Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units ~~constructed after September 18, 1978~~

Basis for Applicability Determination: Applies to steam generating units with heat input > 100 MMBtu/hr which were constructed, reconstructed, or modified after 6/19/84. Neither Boiler #3 nor ~~and~~ Boiler #4 was

were constructed or modified after ~~prior to~~ 6/19/84, therefore they are exempt from the requirements of this Subpart. Boiler#5 is subject to the requirements of this Subpart.

- c. 40 CFR 60 Subpart Dc - - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
Basis for Applicability Determination: Applies to steam generating units with heat input of 10-100 MMBtu/hr which were constructed, reconstructed, or modified after 6/9/89. No such s Steam generating units at the ~~GE Washington~~ facility were constructed or modified ~~prior to~~ after 6/9/89.
- d. 40 CFR 60 Subpart E - Standards of Performance for Incinerators
Basis for Applicability Determination: Applies only to burning solid waste. The facility ~~GE Washington~~ has decommissioned its non-hazardous solid waste incinerator.
- e. 40 CFR 60 Subpart K - Standards of Performance for Storage Vessels for Petroleum Liquids constructed/modified after June 11, 1973 and prior to May 19, 1978
Basis for Applicability Determination: No such p Petroleum liquid storage vessels has a ~~have~~ capacity ies greater ~~less~~ than 40,000 gallons.
- f. 40 CFR 60 Subpart Ka - Standards of Performance for Storage Vessels for Petroleum Liquids constructed/modified after May 18, 1978 and prior to July 23, 1984
Basis for Applicability Determination: No such p Petroleum liquid storage vessels has a capacity greater ~~have capacities less~~ than 40,000 gallons.
- g. 40 CFR 60 Subpart Kb - - Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) constructed/modified after July 23, 1984
All the Tanks at the Part 1 Facility are exempt from the requirements of the Subpart Kb based either on time when they were built, size/pressure or tank content.
- h. 40 CFR 60 Subpart O - Standards of Performance for Sewage Treatment Plants.
Basis for Applicability Determination: The facility ~~GE Washington~~ does not operate a municipal treatment plant.
- i. 40 CFR 60 Subpart VV - Equipment Leaks of VOC for the Synthetic Organic Chemical Manufacturing Industry (SOCMI)
Basis for Applicability Determination: The facility ~~GE Washington~~ does not manufacture as an intermediate or final product any of the listed SOCMI chemicals.
- j. 40 CFR 60 Subpart DDD - - Standards of Performance for VOC Emissions from the Polymer Manufacturing Industry
Basis for Applicability Determination: The facility ~~GE Washington~~ does not have SOCMI air oxidation unit processes.
- k. 40 CFR 60 Subpart III - - Standards of Performance for VOC Emissions from SOCMI Air Oxidation Unit Processes
Basis for Applicability Determination: The facility ~~GE Washington~~ does not manufacture as an intermediate or final product any of listed SOCMI chemicals.

- l. 40 CFR 60 Subpart KKK - - Standards of Performance for Equipment Leaks of VOC from On-Shore Natural Gas Processing Plants
Basis for Applicability Determination: The structural wells at ~~the the GE Washington~~ site do not meet the applicability criteria because ~~the facility~~ the facility ~~GE Washington~~ burns raw natural gas directly from its natural gas wells without extracting any natural gas liquids, fractionating any mixed natural gas, or sweetening the natural gas prior to burning.
- m. 40 CFR 60 Subpart LLL - Standards of Performance for Onshore Natural Gas Processing; SO₂ Emissions
Basis for Applicability Determination: The structural wells at ~~the the GE Washington~~ site do not meet the applicability criteria because ~~the facility~~ the facility ~~GE Washington~~ burns raw natural gas directly from its natural gas wells without extracting any natural gas liquids, fractionating any mixed natural gas, or sweetening the natural gas prior to burning.
- n. 40 CFR 60 Subpart NNN -- Standards of Performance for VOC Emissions from SOCMI Distillation Operations
Basis for Applicability Determination: The facility ~~GE Washington~~ does not manufacture as an intermediate or final product any of listed SOCMI chemicals.
- o. 40 CFR 60 Subpart RRR - - Standards of Performance for VOC Emissions from SOCMI Reactor Process
Basis for Applicability Determination: The facility ~~GE Washington~~ does not manufacture as an intermediate or final product any of listed SOCMI chemicals.
- p. 40 CFR 63 Subpart G - National Emissions Standards for Organic HAPs from the SOCMI Process Vents, Storage Vessels, Transfer Operations, and Wastewater.
Basis for Applicability Determination: Subpart G is not applicable to ~~the the GE Washington~~ facility, except as referenced by 40CFR63 Subpart JJJ, because it does not manufacture as an intermediate or final product any of the listed chemicals that would trigger applicability.
- q. 40 CFR Part 63, Subpart I – National Emission Standards for Organic Hazardous Air Pollutants for certain processes subject to the negotiated regulation for Equipment Leaks
Basis for Applicability Determination: Subpart JJJ §63.1311(g)(1).
- r. 40 CFR 63 Subpart U - National Emission Standards for HAPs for Group I Polymers and Resins
Basis for Applicability Determination: The latex area is not subject to this requirement, but is rather subject to 40 CFR 63 Subpart JJJ, as stated in Subpart U under 63.480(f)(4).
- s. 40 CFR 63 Subpart JJJ - National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins - Group 1 Wastewater provisions
Basis for Applicability Determination: The facility ~~GE Washington~~ does not have any Group 1 Wastewater streams, therefore it is not subject to Group 1 Wastewater provisions.
- t. 40 C.F.R. Part 63, Subpart FFFF - National Emission Standards for Hazardous Air Pollutant Emissions: Miscellaneous Organic Chemical Manufacturing (MON)
Basis for Applicability Determination: The facility ~~GE Washington~~ has operations that compound solid resins produced at the site with additives to produce compounded polymer plastic resin pellets. These operations are exempted from the requirements of this Subpart per 63.2435(c) (as fabricating operations).

- u. The facility has only one operating scenario, therefore the requirements of Section 2.12. "Reasonably Anticipated Operating Scenarios" are not applicable and it is not required to certify compliance with them.
- v. The facility is not a subject to a Compliance Plan (as per Requirement 3.6.); therefore, the requirements of Section 2.15. "Schedule of Compliance" are not applicable and it is not required to certify compliance with them.
- w. The facility is not subject to Title IV of the Clean Air Act; therefore, the requirements of Section 2.25. "Acid Deposition Control" are not applicable and it is not required to certify compliance with them.

4.0. Tank Farm Specific Requirements

4.1. Limitations and Standards

- 4.1.1. All volatile organic compounds generated and discharged from the storage tanks (Source ID's 09-25009, 09-25010, and 09-25011) shall be vented to, and combusted by, the Catalytic Thermal Oxidizer Control Device ID 30B-12130, Emission Point ID LX14 permitted under R13-2288C, including any subsequent revisions. The emissions of volatile organic compounds generated and discharged from the storage tanks (Source IDs 09-25010, and 09-25011) and storage tank (Source ID 09-25009) shall be vented to, and combusted by, the Finishing D Thermal Oxidizer (Control Device ID No. 11D-01001, Emission Point ID 00A-03) identified and permitted as Emission Point ID No. MD-37 in existing current permit R13-1251, and shall not exceed the amounts (rates) listed below:

Emission Point ID	Equipment ID	Source Description	Uncontrolled VOC (lb/hr)	Uncontrolled VOC (TPY)
38237	09-25009	Storage Tank	43.4	3.4
38238	09-25010	Storage Tank		
009-0A	09-25011	Storage Tank		

[45CSR13, R13-2084CB, A.1., A.2. and R13-1886B, A.2.]

- 4.1.2. The Company shall continue to comply with the emission limits set forth in the Table below. Compliance with the emission limits shall be demonstrated by test or monitoring data, approved emission factors, material balances, and/or representative calculations in accordance with 45CSR21.

Emission Point /Equipment	VOC	
	lb/hr	TPY
009-0S - Barge Unloading (Consent Order Source ID TF7)	2	0.5
009-0Q or 009-0V - Storage Tanks (Consent Order Source ID TF1)	1.2	0.44
09-25050, 09-25074, 09-25077, 09-250833 - Pressure Vessels maintenance	2	0.3
009-0U - Latex Loading Station (Consent Order Source: TF6) - Tank Trucks	20	1.4
009-0U - Latex Loading Station (Consent Order Source: TF6) - Rail Tank Cars	17	1.4

[Consent Order CO-R21-97-32, III.1. and CO-R27-98-18, III.5. and III.6. State-Enforceable only.]

- 4.1.3. The Company shall continue to comply with the emission limits set forth in the Table below. Compliance with the emission limits shall be demonstrated by test or monitoring data, approved emission factors, material balances, and/or representative calculations in accordance with 45CSR27.

Emission Point	Acrylonitrile, TPY	1,3 Butadiene	
		lb/hr	TPY
009-0S - Barge Unloading (Consent Order Source: Barge Unloading)	No limit in Consent Order	No limit in Consent Order	0.11
009-0Y - Railcar and Truck Unloading (Consent Order Source: Railcar Unloading)	0.1	No limit in Consent Order	0.03
009-0U - Latex Loading Station (Consent Order Source: Poly BD Loading) - Rail and Truck	No limit in Consent Order	11	1

[Consent Order CO-R27-92-18, III.2. and CO-R27-98-18, III.2. and III.3. State-Enforceable only]

- 4.1.4. Maximum allowable acrylonitrile emissions to the atmosphere from sources listed below shall not exceed the following annual limitations:

Emission Point	Acrylonitrile, TPY
009-0Q or 009-0V - Storage Tanks	0.44

[45CSR13, R13-1886 ~~EB~~, ~~4.1.7.A.10.~~] [45CSR§30-12.7.]

- 4.1.5. The permittee shall maintain the following BAT compliance program for controlling air emissions:

Emission Point	Item
009-0S - Barge Unloading (Consent Order Source: Barge Unloading)	maintaining unloading valves, and procedures
009-0Y - Railcar and Truck Unloading (Consent Order Source: Railcar Unloading)	maintaining unloading valves and Railcar drip-less connectors, and procedures

009-0V and 009-0Q - storage Tanks (Consent Order Source: Storage Tank)	Floating Roof
Pressure Vessels (Consent Order Source)	Empty via vacuum

[Consent Order CO-R27-92-18, III.1. State-Enforceable only]

- 4.1.6. The pertinent sections of 40 CFR 63, Subpart JJJ *National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins* (Attachment A of this Permit) are applicable to the Tank Farm emission points, listed in the Table below:

Equipment ID	Emission Point ID	Equipment Description	Applicable Requirements
--	009-0S-LDAR	Equipment located between the Barge Unloading Station and storage tanks ID 09-25050, 09-25074, 09-25077, 09-25083, 09-25048, 09-25049, 09-25076, 09-25082	63.1313 - Emission Standards 63.1331 - Equipment leak provisions
--	009-0Y-LDAR	Equipment located between the Railcar and Truck Unloading Stations and storage tanks ID 09-25078, 09-25075, 09-25009, 09-25050, 09-25074, 09-25077, 09-25083, 09-25048, 09-25049, 09-25076, 09-25082	
Storage Tanks - Group 1			
09-25078	009-0V	Storage Tank, north	63.1313 - Emission Standards 63.1314 - Storage vessel provisions
09-25075	009-0Q	Storage Tank, south	
Storage Tanks - Group 2			
09-25009	009-08	Tank	63.1313 - Emission Standards 63.1314 - Storage vessel provisions

[45CSR34 and 40 C.F.R. 63, Subpart JJJ] [\[45CSR13, R13-1886E, 4.1.11.\]](#)

- 4.1.7. The following pertinent sections of 40 CFR 63, Subpart JJJ (Attachment A of this Permit) applicable to the Tank Farm maintenance wastewater: 63.1330(c) - Wastewater provisions
[45CSR34 and 40 C.F.R. 63, Subpart JJJ, 63.1330(a)]
- 4.1.8. Unless otherwise expressly exempted from Leak Detection and Repair ("LDAR") requirements in the Consent Order CO-R21-97-32, the Company hereby agrees to implement and maintain LDAR programs for the

reduction of fugitive VOC emissions in all facility manufacturing process units subject to C.S.R. § 45-21-40 producing a product or products intermediate or final, in excess of 1000 megagrams (1100 tons) per year, in accordance with the applicable methods and criteria of Part 63 Subpart JJJ, as the approved alternative LDAR procedure.

This requirement shall apply to all units irrespective of whether or not such units produce as intermediates or final products, substances on the lists contained within 40 CFR Part 60, 40 CFR Part 61, or 40 CFR Part 63.

There are no exempt units at the facility on the effective date of the Consent Order CO-R21-97-32.

For sources subject to Part 63 Subpart JJJ (listed in Requirement 4.1.6.) compliance with this requirement will be demonstrated if compliance with the Part 63 Subpart JJJ 63.1331 - Equipment leak provisions (Requirement 4.1.6). is demonstrated.

[Consent Orders CO-R21-97-32, III.2. State-Enforceable only]

- 4.1.9. The Leak Detection and Repair Program ("LDAR") shall include the provisions of Subpart H of Part 63 of Title 40 of the Code of Federal Regulations, National Emission Standards for Organic Hazardous Air Pollutants from Synthetic Organic Chemical Manufacturing Equipment Leaks (Fugitive Emission Sources). For the purposes of Consent Order CO-R27-92-18, all manufacturing processes subject to LDAR requirements for Regulation 27 shall be deemed to be Group I sources under Subpart H. Based upon the provisions of 40 CFR 63, Subpart H, as promulgated by USEPA, or based upon a redetermination of BAT for LDAR by the Director, the Company or the Director may petition the Commission for an amendment to this Compliance Program, which such petition shall allege with specificity the conditions upon which the Compliance Program may be amended and the requested relief. The Commission shall hear the Company's or Director's petition and determine the appropriate relief, if any. Any petition for inclusion of a new BAT determination by the Director must be based upon a demonstration that the new requirements are at least equivalent to Phase I of the above referenced Subpart; are consistent to the maximum extent practicable with respect to the scope of leak detection and repair coverage, recordkeeping and reporting requirements; have been based upon standards or methods achieved or in practice by the Division of Air Quality or other similar companies or in effect in another state or states; and have been proposed to the Division of Air Quality after consultation and receipt of input and comments from the Company.

Compliance with the LDAR requirement will be demonstrated if compliance with the Part 63 Subpart JJJ section 63.1331 *Equipment leak provisions* (Requirement 4.1.6). is demonstrated.

[CO-R27-92-18, III.3. State-Enforceable only.]

- 4.1.10. At all times, including periods of start-up, shutdown, and malfunction, the Company shall maintain and operate the VOC emitting sources in a manner consistent with good air pollution control practices for minimizing emissions. Compliance with the emission limits set forth in Requirement 4.1.2. shall be demonstrated at all times unless exception periods are provided for in accordance with this paragraph (emissions mitigation plan). At all times in which measures are inoperable or malfunctioning, the Company shall not operate the related production equipment unless the Company is granted a variance pursuant to 45CSR§21-9.3. The Company shall comply with 45CSR§21-5.2 and 45CSR§21-9.3 with respect to all periods of non-compliance with the emission limitations and emission reduction requests set forth in Requirement 4.1.2. resulting from unavoidable malfunctions of equipment. These records shall be maintained on-site, or accessible electronically at the site for not less than three (3) years and be made available to the Director or his or her authorized representative upon request. The Director also may request submission of copies of such records.

[Consent Order CO-R21-97-32, III.3. and IV.7. State-Enforceable only.]

- 4.1.11. For all periods in which control equipment or measures listed in Requirement 4.1.5. are inoperable or malfunctioning, the Company shall not operate the related production equipment unless the Company is granted a variance pursuant to Section 12.1 of Regulation 27.

Demonstrating compliance with this requirement will also demonstrate compliance with Consent Order CO-R27-92-18, Requirement IV.12.

[Consent Order CO-R27-92-18, IV.13. State-Enforceable only.]

- 4.1.12. The Leak Detection and Repair (LDAR) program to control volatile organic compounds for tanks shall, at a minimum, comply with the provisions of 45CSR21 Section 37 as they may be amended. The permittee may also comply via a more stringent LDAR program (i.e. 40CFR63 Subpart H as may be amended).

Compliance with this requirement will be demonstrated if compliance with the Part 63 Subpart JJJ 63.1331 - Equipment leak provisions (Requirement 4.1.6.) is demonstrated.

[45CSR21-37; State Enforceable Only ~~45CSR13, R13-1886B, A.13.~~]

- 4.1.13. Variance. -- If the provisions of 45CSR21 cannot be satisfied due to repairs made as the result of routine maintenance or in response to the unavoidable malfunction of equipment, the Director may permit the owner or operator of a source subject to 45CSR21 to continue to operate said source for periods not to exceed 10 days upon specific application to the Director. Such application shall be made prior to the making of repairs and, in the case of equipment malfunction, within 24 hours of the equipment malfunction. Where repairs will take in excess of 10 days to complete, additional time periods may be granted by the Director. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director. During such time periods, the owner or operator shall take all reasonable and practicable steps to minimize VOC emissions.

[45CSR§21-9.3.]

- 4.1.14. In accordance with 45CSR§21-40.4.a., the COMPANY is required to submit any required amendments to the case-by-case reasonably available control technology ("RACT") control plans previously submitted to the Director and revise such control plans to meet the definition of reasonably available control measures ("RACM"), or submit an alternative emissions reduction plan ("AERP") for approval (45CSR§21-40.3.b.).

[Consent Order CO-R21-97-32, II.4. State-Enforceable only.]

- 4.1.15. The following section of 45CSR7 applicable to Tanks (Emission Points ID 009-15 and 009-16):

§45-7-4.2.

Mineral acids shall not be released from any type source operation or duplicate source operation or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity given in Table 45-7B found at the end of this rule (35 mg /m³).

[45CSR§7-4.2.]

- 4.1.16. The following sections of 40 CFR 63, Subpart EEEE *National Emission Standards for Hazardous Air Pollutant Emissions: Organic Liquids Distribution (Non-Gasoline)* (Attachment E of this Permit) are applicable to the

Loading Station (Emission Point ID 009-0R), Railcar and Truck Unloading Stations (Emission Point ID 009-0Y), and equipment located between any of these Stations and the equipment listed in Requirement 4.1.6.:

63.2330 What is the purpose of this Subpart?

63.2334(a) Am I subject to this Subpart?

63.2338 What parts of my plant does this subpart cover?

63.2342(b)(1) and (d) When do I have to comply with this subpart?

63.2346(d), (h) and (i) What emission limitations, operating limits, and work practice standards must I meet?

63.2350 What are my general requirements for complying with this subpart?

63.2378(a) and (b) How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?

63.2382(a) What notifications must I submit and when and what information should be submitted?

63.2398 What parts of the General Provisions apply to me?

63.2406 What definitions apply to this subpart?

[45CSR34 and 40 C.F.R. 63, Subpart EEEE]

4.2. Monitoring Requirements

~~None.~~

4.2.1. For the purpose of determining compliance with Section 4.1.6 of this permit, the permittee shall conduct monitoring in accordance with the requirements set forth in 40CFR63, Subpart JJJ, including the equipment leak provisions under 40CFR63.1331 for all equipment in organic HAP service in the TPPU (Tank Farm Area only).

[45CSR§30-5.1.c.]

4.2.2. For the purpose of determining compliance with Section 4.1.12 of this permit (which applies to all equipment in VOC service in the Tank Farm that is not subject to Section 4.1.6 of this permit), the permittee shall conduct monitoring in accordance with the requirements set forth in 45CSR§21-37. In lieu of these requirements, the permittee may instead comply with a more stringent LDAR program, such as 40CFR63, Subpart H, as may be amended.

[45CSR§30-5.1.c.]

4.3. Testing Requirements

4.3.1. As set forth under 40 CFR Part 60, Appendix A, the following test methods shall be employed for any performance stack testing required by the Director: For any stack testing required by the DAQ, the following test methods shall be employed as set forth under 40 CFR Part 60 Appendix A:

Acrylonitrile	Method 18
Methyl Methacrylate	Method 18
Styrene	Method 18
Total VOC	Method 25 or 25A

NO_x

Method 7, 7B, or 7E

Particulate

Method 9

~~and any other test methods as approved by the Director.~~**[45CSR13, R13-1886EB, 4.3.1.B.3.]**

- 4.3.2. For the emission limits set forth in the Requirement 4.1.2. the Company agrees to comply with the applicable provisions of 45CSR§21-41 regarding test methods and compliance procedures, except as otherwise approved by the Director. **[Consent Order CO-R21-97-32, III.5. State-Enforceable only.]**
- 4.3.3. If requested by the Director, the Company shall submit a detailed plan and test protocol to the Director for approval of methods to demonstrate compliance with the emission limits set forth in the Requirement 4.1.3. The Director reserves the right to require specific valid test methods for the determination of toxic air pollutant emissions from any source notwithstanding the specification or identification of test methods proposed in Requirement 4.1.3.
[Consent Order CO-R27-92-18, III.5. State-Enforceable only.]
- 4.3.4. The pertinent sections of 40 CFR 63, Subpart JJJ *National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins* (Attachment A of this Permit) applicable to the Group 1 Storage Tanks, listed in the Requirement 4.1.6., are:
63.1333 - Additional requirements for performance testing
[45CSR34 and 40 C.F.R. 63, Subpart JJJ]
- 4.3.5. At such reasonable time(s) as the Director may designate, the COMPANY shall conduct or have conducted test(s) to determine compliance with the emission limitations established in CO-R21-97-32 (Requirement 4.1.2.) and/or applicable regulations. Test(s) shall be conducted in such a manner as the Director may specify or approve and shall be filed in a manner acceptable to the Director. The Director, or his or her duly authorized representative, may at his or her option witness or conduct any such test. Should the Director exercise his or her option to conduct such test(s), the COMPANY shall provide all the necessary sampling connections and sampling ports to be located in such a manner as the Director may require, power for test equipment, and the required safety equipment such as scaffolding, railings, and ladders to comply with generally accepted good safety practices. DAQ personnel shall comply with all reasonable COMPANY safety rules and practices during conducting of such tests. Any test required by 45CSR21 or by the Director for the purpose of determining compliance with 45CSR21 and the conditions of CO-R21-97-32 or any test to be submitted by the COMPANY to the Director for that purpose, shall require the submission of a test protocol to the Director at least thirty (30) days prior to the test and must be approved by the Director prior to testing. The Director may reject the results of any test for which a protocol is not submitted and approved prior to testing, or test results not obtained in accordance with an approved protocol. In the event that the Director fails to approve the timely submitted test protocol prior to the scheduled tests, the schedule for testing and any final compliance dates in CO-R21-97-32 shall be extended accordingly. The Director shall be notified at least (15) days in advance of the actual dates and times during which the test will be conducted.
[Consent Order CO-R21-97-32, IV.10. State-Enforceable only.]

4.4. Recordkeeping Requirements

- 4.4.1. ~~Reserved~~ The method of determining compliance with the emission limits set forth in Requirement 4.1.1. will be the use of USEPA's TANK emission estimating software which is based on AP-42 Section 7.1, Fifth edition, January 1995 emissions factors. Compliance with the hourly limits shall be determined using monthly average emission calculations. Compliance with the annual limits shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the emissions at any given month during the previous twelve (12) consecutive calendar months.
[45CSR§30-5.1.c. and 45CSR13, R13-2084B, A.1.]
- 4.4.2. In order to demonstrate compliance with the emission limits set forth in Requirements 4.1.2. and 4.1.3. the permittee shall perform monthly emission calculations. Compliance with the hourly emission limits shall be determined based on a monthly average emission rate. Compliance with the annual emission limits shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the emissions at any given month during the previous twelve (12) consecutive calendar months. Such records shall be retained on site, be accessible electronically at the site for at least five (5) years.
[45CSR§30-5.1.c. State-Enforceable only.]
- 4.4.3. Credible data, including but not limited to, test or monitoring data, maintenance information, accurate and representative calculations (which may include emission factors which are acceptable to the DAQ), or accurate material balances to verify compliance with the emission limitations set forth in Requirement 4.1.2., work practices or other requirements of 45CSR21 and the CO-R21-97-32, shall be made available to the Director of the Division of Air Quality upon request by the Director or his or her authorized representative.
[Consent Order CO-R21-97-32, III.4. State-Enforceable only.]
- 4.4.4. ~~For the purpose of demonstrating compliance with Section 4.1.6 of this permit, the permittee shall maintain records in accordance to the requirements set forth in 40CFR63, Subpart JJJ.~~
[45CSR13, R13-1886B, 4.4.9 B.8. and 45CSR§30-5.1.c; 40 C.F.R. 63 Subpart JJJ]
~~A copy of all record keeping required under Requirement 4.1.8. shall be maintained on site or accessible electronically at the site for a least five (5) years for inspection by the Director or a duly authorized representative of the Director, and such record keeping shall be certified as per Attachment B of this Permit.~~
[45CSR13, R13-1886B, B.8. and 45CSR§30-5.1.c.]
- 4.4.5. The pertinent recordkeeping sections of 40 CFR 63, Subpart JJJ *National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins* (Attachment A of this Permit) applicable to the facility are: 63.1335(a), 63.1335(b), 63.1335(d), 63.1335(f), 63.1335(g), 63.1335(h) - General recordkeeping and reporting requirements
[45CSR34 and 40 C.F.R. 63, Subpart JJJ]
- 4.4.6. The COMPANY agrees to comply with the applicable certification, record keeping, and reporting requirements of 45CSR21 or any alternative requirements that may be specified or approved by the Director.
[Consent Order CO-R21-97-32, III.8. State-Enforceable only.]
- 4.4.7. To demonstrate compliance with Requirement 4.1.15. the permittee shall keep engineering calculation of the sulfuric acid concentration at maximum tank capacity on site.
[45CSR§30-5.1.c.]
- 4.4.8. The following recordkeeping sections of 40 CFR 63, Subpart EEEE *National Emission Standards for Hazardous Air Pollutant Emissions: Organic Liquids Distribution (Non-Gasoline)* (Attachment E of this Permit) are applicable to the Loading Station (Emission Point ID 009-0R):

63.2390(a), (c) What records must I keep?

63.2394 In what form and how long must I keep my records?

[45CSR34 and 40 C.F.R. 63, Subpart EEEE]

4.4.9. For the purpose of determining compliance with Section 4.1.12 of this permit (which applies to all equipment in VOC service in the Tank Farm that is not subject to Section 4.1.6 of this permit), the permittee shall maintain records in accordance with the requirements set forth in 45CSR§21-37. In lieu of these requirements, the permittee may instead comply with a more stringent LDAR program, such as 40CFR63, Subpart H, as may be amended.
[45CSR§30-5.1.c.]

4.5. Reporting Requirements

4.5.1. Reserved.

4.5.2. With the respect to LDAR requirements applicable to a process unit as a result of 45CSR§21-40.3.a.2., starting in 1998 the LDAR Program Reports submitted for semi-annual periods are due within 60 days after the period has ended. Compliance with this Requirement may be demonstrated by complying with the Requirement 4.5.3.
[Consent Order CO-R21-97-32, III.2. State-Enforceable only.]

4.5.3. The pertinent reporting sections of 40 CFR 63, Subpart JJJ *National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins* (Attachment A of this Permit) applicable to the facility are:
63.1335(e), 63.1335(f), 63.1335(g) - General recordkeeping and reporting requirements.
[45CSR34 and 40 C.F.R. 63, Subpart JJJ and Consent Order CO-R21-97-32, III.2.]

4.5.4. Reports of excess emissions. -- Except as provided in 45CSR§21-9.3., the owner or operator of any facility containing sources subject to 45CSR§21-5 shall, for each occurrence of excess emissions expected to last more than 7 days, within 1 business day of becoming aware of such occurrence, supply the Director by letter with the following information:

- a. The name and location of the facility;
 - b. The subject sources that caused the excess emissions;
 - c. The time and date of first observation of the excess emissions; and
 - d. The cause and expected duration of the excess emissions.
 - e. For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and
 - f. The proposed corrective actions and schedule to correct the conditions causing the excess emissions.
- [45CSR§21-5.2.]**

4.5.5. The following provision is applicable to the Tank (Equipment ID 09-25009) and Tanks (Equipment ID 09-25010 and 09-25011):

§45-4-4.1

Accidental and other infrequent discharges which cause or contribute to objectionable odors will be considered on an individual basis and shall be reported by the person responsible therefore to the Director in the manner to be prescribed by the Director.

[45CSR13, R13-2084CB, B.5.]

- 4.5.6. The following reporting sections of 40 CFR 63, Subpart EEEE *National Emission Standards for Hazardous Air Pollutant Emissions: Organic Liquids Distribution (Non-Gasoline)* (Attachment E of this Permit) are applicable to the Loading Station (Emission Point ID 009-0R):

63.2386 What reports must I submit and when and what information is to be submitted in each?

[45CSR34 and 40 C.F.R. 63, Subpart EEEE]

- 4.5.7. For the purpose of demonstrating compliance with Section 4.1.6 of this permit, the permittee shall assemble and submit all reports in accordance to the requirements set forth in 40CFR63, Subpart JJJ and Section 3.5. of this permit.

[45CSR13, R13-1886E, 4.5.1.]

- 4.5.8. For the purpose of determining compliance with Section 4.1.12 of this permit (which applies to all equipment in VOC service in the Tank Farm that is not subject to Section 4.1.6 of this permit), the permittee shall assemble and submit all reports in accordance with the requirements set forth in 45CSR§21-37 and Section 3.5 of this permit. In lieu of these requirements, the permittee may instead comply with a more stringent LDAR program, such as 40CFR63, Subpart H, as may be amended.

[45CSR§30-5.1.c.]

4.6. Compliance Plan

N/A

5.0. Boiler House Specific Requirements

5.1. Limitations and Standards

- 5.1.1. Emissions from the natural gas fired 146 ~~mm~~MMBtu/hr Rentech Boiler #5 (Emission Point ID 007-06) shall not exceed the following:

Pollutant	lb/hr	tpy
NO _x	5.3	23
CO	16.1	70.3
PM ₁₀	1.1	5
VOC	0.8	3.6
SO ₂	0.1	0.4

Compliance with the PM₁₀ and SO₂ hourly emission limits listed in the Table above will demonstrate compliance with the less stringent 45CSR2 and 45CSR10 emission limits.

[45CSR13, R13-2572A, A.1.]

- 5.1.2. Maximum natural gas consumption by the Boiler #5 (Emission Point ID 007-06) shall not exceed 139,000 scf per hour nor 1,218 mmscf per year. Compliance with the annual fuel usage limit shall be determined using a twelve (12) month rolling total. A twelve (12) month rolling total shall mean the sum of the natural gas consumed for the previous twelve (12) consecutive months.

[45CSR13, R13-2572A, A.2.]

- 5.1.3. Except during startup, shutdown and malfunctions, opacity from Boilers #3, #4 and #5 shall not exceed 10 percent based on a six minute block average.

[45CSR13, R13-2572A, A.3., B.2. and R13-0009A, 4.1.5.; 45CSR§2-3.1., 9.1.]

- 5.1.4. Emissions from the 72 ~~mm~~MMBtu/hr Boiler #3 (Emission Point ID 007-03), while burning an alternative fuel (No. 2 fuel oil), shall not exceed the following:

Pollutant	lb/hr	tpy
NO _x	10.7	46.7
CO	2.7	11.7
PM ₁₀	1.1	4.7
SO ₂	37.9	165.8
VOC	0.2	0.5

Compliance with the PM₁₀ and SO₂ hourly emission limits listed in the Table above will demonstrate compliance with the less stringent 45CSR2 and 45CSR10 emission limits.

[45CSR13, R13-0009A, 4.1.1.]

- 5.1.5. Emissions from the 132 ~~mm~~MMBtu/hr Boiler #4 (Emission Point ID 007-04), while burning an alternative fuel (No. 2 fuel oil), shall not exceed the following:

Pollutant	lb/hr	tpy
NO _x	23.5	102.9

CO	<u>4.9</u>	21.5
PM10	<u>2.0</u>	8.6
SO2	<u>69.5</u>	304.2
VOC	<u>0.2</u>	0.9

Compliance with the PM10 and SO₂ hourly emission limits listed in the Table above will demonstrate compliance with the less stringent 45CSR2 and 45CSR10 emission limits.

[45CSR13, R13-0009, 4.1.2.]

- 5.1.6. Maximum No. 2 fuel oil consumption by the Boiler #3 (Emission Point ID 007-03) shall not exceed 533 gal/hr and 4,669,080 gal per year. Compliance with the alternative fuel usage limit shall be determined using a twelve (12) month rolling total. A twelve (12) month rolling total shall mean the sum of the No. 2 fuel oil amounts consumed for the previous twelve (12) consecutive months.

[45CSR13, R13-0009A, 4.1.3.]

- 5.1.7. Maximum No. 2 fuel oil consumption by the Boiler #4 (Emission Point ID 007-04) shall not exceed 978 gal/hr and 8,567,280 gal per year. Compliance with the alternative fuel usage limit shall be determined using a twelve (12) month rolling total. A twelve (12) month rolling total shall mean the sum of the No. 2 fuel oil amounts consumed for the previous twelve (12) consecutive months.

[45CSR13, R13-0009, 4.1.4.]

- 5.1.8. The permittee shall comply with all applicable provisions of 45CSR2, 45CSR10, 45CSR13, 45CSR16, 45CSR30, and 40 CFR 60 Subpart Db for the Boiler #5, provided that the permittee shall comply with any more stringent requirements as may be set forth under Requirements 5.1.2. through 5.1.3. of this permit.

[45CSR13, R13-2572A, B.1.]

- 5.1.9. The pertinent sections of 45CSR2 applicable to this facility are:

§45-2-4.1

No person shall cause, suffer, allow, or permit the discharge of particulate matter into the open air from all fuel burning units located at one plant, measured in terms of pounds per hour in excess of the amount determined as follows:

§45-2-4.1(b)

For Type 'b' fuel burning units, the product of 0.09 and the total design heat inputs for such units in million B.T.U.'s per hour, provided however that no more than six hundred (600) pounds per hour of particulate matter shall be discharged into the open air from all such units; and

§45-2-8.1. Testing

§45-2-8.1.b.

At such reasonable times as the Director may designate, the owner or operator of any fuel burning unit(s) may be required to conduct or have conducted tests to determine the compliance of such unit(s) with the emission limitations of §45-2-4. Such tests shall be conducted in accordance with the appropriate method set forth in the Appendix to this rule or other equivalent EPA approved method approved by the Director. The Director, or his duly authorized representative, may at his option witness or conduct such tests. Should the Director exercise his option to conduct such tests, the operator will provide all necessary sampling connections and sampling ports located in such manner as the Director may require, power for test equipment, and the required safety equipment such as scaffolding, railings and ladders to comply with generally accepted good safety practices.

§45-2-8.1.c

The Director, or his duly authorized representative, may conduct such other tests as he may deem necessary to evaluate air pollution emissions other than those noted in §45-2-4.1.

§45-2-8.3. Recordkeeping and Reporting

§45-2-8.3.c

The owner or operator shall maintain records of the operating schedule and the quantity and quality of fuel consumed in each fuel burning unit in a manner to be established by the Director. Such records are to be maintained on-site and made available to the Director or his duly authorized representative upon request.

§45-2-9.1

The visible emission standards set forth in §45-2-3 shall apply at all times except in periods of start-ups, shutdowns and malfunctions. Where the Director believes that start-ups and shutdowns are excessive in duration and/or frequency, the Director may require an owner or operator to provide a written report demonstrating that such frequent start-ups and shutdowns are necessary.

§45-2-9.3

The owner or operator of a fuel burning unit(s) subject to 45CSR2 shall report to the Director any malfunction of such unit or its air pollution control equipment which results in any excess particulate matter emission rate or excess opacity (i.e., emissions exceeding the standards in section 45CSR§2-3 and 45CSR§2-4) as provided in one of the following subdivisions:

§45-2-9.3.a.

Excess opacity periods meeting the following conditions may be reported on a quarterly basis unless otherwise required by the Director:

§45-2-9.3.a.1.

The excess opacity period does not exceed thirty (30) minutes within any 24-hour period; and

§45-2-9.3.a.2.

Excess opacity does not exceed 40%.

§45-2-9.3.b.

The owner or operator shall report to the Director any malfunction resulting in excess particulate matter or excess opacity, not meeting the criteria set forth in subdivision 9.3.a, by telephone, telefax, or e-mail by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Director within thirty (30) days providing the following information:

§45-2-9.3.b.1.

A detailed explanation of the factors involved or causes of the malfunction;

§45-2-9.3.b.2.

The date and time of duration (with starting and ending times) of the period of excess emissions;

§45-2-9.3.b.3

An estimate of the mass of excess emissions discharged during the malfunction period;

§45-2-9.3.b.4

The maximum opacity measured or observed during the malfunction;

§45-2-9.3.b.5.

Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and

§45-2-9.3.b.6.

A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.

Records shall be deemed to be "maintained on site" if they are kept in an electronic format off-site, but are accessible from the site.

[45CSR13, R13-2572A, B.2.; R13-0009A, 4.1.5.; 45CSR2 and 45CSR§30-5.1.c.]

- 5.1.10. The pertinent sections of 45CSR10 applicable to this facility are:

§45-10-3.1.

No person shall cause, suffer, allow, or permit the discharge of sulfur dioxide into the open air from all stacks located at one plant, measured in terms of pounds per hour, in excess of the amount determined as follows:

§45-10-3.1.e.

For Type 'b' and Type 'c' fuel burning units, the product of 3.1 and the total design heat inputs for such units discharging through those stacks in million BTU's per hour.

[45CSR13, R13-2572A, B.3.; R13-0009A, 4.1.6.]

- 5.1.11. The pertinent sections of 40 CFR 60, Subpart Db, applicable to this facility (Boiler #5, Emission Point ID 007-06) are:

§60.40b(a)

The affected facility to which Subpart Db applies is each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 MW (100 million Btu/hour).

§60.44b(a)

Except as provided under §60.44b(k), on and after the date on which the initial performance test is completed or is required to be completed under §60.8 of 40 CFR 60, whichever date comes first, no owner or operator of an affected facility that is subject to the provisions of §60.44b and that combusts only coal, oil, or natural gas shall cause to be discharged into the atmosphere from that affected facility any gases that contain nitrogen oxides (expressed as NO₂) in excess of the following emission limits:

(1) Natural gas and distillate oil:

(ii) High heat release rate, 0.2 lbs NO_x per million Btu heat input

§60.44b(h)

For purposes of paragraph §60.44b(I) (Requirement 5.4.1.), the nitrogen oxide standards under §60.44b apply at all times including periods of startup, shutdown, or malfunction.

[45CSR13, R13-2572A, B.5., 45CSR16 and 40 C.F.R. 60, Subpart Db]

- 5.1.12. The pertinent sections of 40 CFR 63, Subpart DDDDD - "National Emissions Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters" (Attachment C of this Permit) - *applicable* to the existing natural gas fired Boilers #3 and #4 are as follows:

§63.7485. Am I subject to this subpart?

You are subject to this subpart if you own or operate an industrial, commercial, or institutional boiler or processheater as defined in §63.7575 that is located at, or is part of, a major source of HAP as defined in §63.2 or §63.761 (40 CFR part 63, subpart HH, National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities), except as specified in §63.7491.

§ 63.7495 (b) When do I have to comply with this subpart? If you have an existing boiler or process heater, you must comply with this subpart no later than September 13, 2007.

§ 63.7495 (d) You must meet the notification requirements in § 63.7545 according to the schedule in §63.7545 and in subpart A of this part. Some of the notifications must be submitted before you are required to comply with the emission limits and work practice standards in this subpart.

§63.7506 Do any boilers or process heaters have limited requirements?

63.7506(b) The affected boilers and process heaters listed in paragraphs (b)(1) through (3) of this section are subject to only the initial notification requirements in §63.9(b) (i.e., they are not subject to the emission limits,

work practice standards, performance testing, monitoring, SSMP, site-specific monitoring plans, recordkeeping and reporting requirements of this subpart or any other requirements in subpart A of this part).

§63.7506(b)(1) Existing large and limited use gaseous fuel units.

§63.7506(b)(2) Existing large and limited use liquid fuel units.

[45CSR34 and 40 C.F.R. 63, Subpart DDDDD and 45CSR13, R13-0009A, 4.1.7.]

- 5.1.13. The pertinent sections of 40 CFR 63, Subpart DDDDD - “National Emissions Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters” (Attachment C of this Permit) - applicable to the new natural gas fired Boiler #5 (Emission Point ID 007-06) are as follows:

63.7495 (a) When do I have to comply with this subpart?

63.7500 (a)(1), (b) What emission limits, work practice standards, and operating limits must I meet?

63.7505 (a), (b), (e) What are my general requirements for complying with this subpart?

63.7510 (g) What are my initial compliance requirements and by what date must I conduct them?

63.7530 (a), (e) How do I demonstrate initial compliance with the emission limits and work practice standards?

63.7540 (a)(10)(i) through (a)(10)(iii), (b), (c), (d) How do I demonstrate continuous compliance with the emission limits and work practice standards?

63.7565 What parts of the General Provisions apply to me?

63.7575 What Definitions apply to this Subpart?

[45CSR34 and 40 C.F.R. 63, Subpart DDDDD]

- 5.1.14. PM emissions from Boilers #3 and #4 (Emission Point ID 007-03 and 007-04), while burning natural gas, shall not exceed the following:

Emission Point	PM, lb/hr
007-03	6.48
007-04	11.88

[45CSR§2-4.1.b.]

- 5.1.15. SO₂ emissions from Boilers #3 and #4 (Emission Point ID 007-03 and 007-04), while burning natural gas, shall not exceed the following:

Emission Point	SO₂, lb/hr
007-03	223.2
007-04	409.2

[45CSR§10-3.1.e.]

5.2. Monitoring Requirements

- 5.2.1. The permittee shall install, calibrate, maintain, and operate, in accordance with 40 CFR 60.13, a continuous monitoring system for measuring nitrogen oxides emissions discharged to the atmosphere from the Boiler #5 (Emission Point ID 007-06) and record the output of the system. Records shall be maintained by the permittee for a period of 5 years following the date of such record.

[45CSR13, R13-2572A, A.4.]

5.2.2. For the purpose of this Requirement "chapter" means "Title 40: Protection of Environment".

The pertinent sections of 40 CFR 60, Subpart Db, applicable to this facility (Boiler #5, Emission Point ID 007-06) are:

§60.48b(b)

Except as provided under paragraphs (g), (h), and (I) of §60.48b, the owner or operator of an affected facility subject to the nitrogen oxides standards under §60.44b shall comply with either paragraphs (b)(1) or (b)(2) of §60.48b.

§60.48b(b)(1)

Install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring nitrogen oxides emissions discharged to the atmosphere; or

§60.48b(b)(2)

If the owner or operator has installed a nitrogen oxides emission rate continuous emission monitoring system (CEMS) to meet the requirements of part 75 of this *chapter* and is continuing to meet the ongoing requirements of part 75 of this *chapter*, that CEMS may be used to meet the requirements of §60.48b, except that the owner or operator shall also meet the requirements of §60.49b. Data reported to meet the requirements of §60.49b shall not include data substituted using the missing data procedures in subpart D of part 75 of this *chapter*, nor shall the data have been bias adjusted according to the procedures of part 75 of this *chapter*.

§60.48b(c)

The continuous monitoring systems required under paragraph (b) of §60.48b shall be operated and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

§60.48b(e)

The procedures under §60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems.

§60.48b(e)(2)

For affected facilities combusting coal, oil, or natural gas, the span value for nitrogen oxides is determined as follows:

Fuel	Span Values

Natural gas.....	500 ppm

§60.48b(e)(3)

All span values computed under paragraph (e)(2) of §60.48b for combusting mixtures of regulated fuels are

rounded to the nearest 500 ppm.

§60.48b(f)

When nitrogen oxides emission data are not obtained because of continuous monitoring system breakdowns, repairs, calibration checks and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7, Method 7a, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.

§60.48b(g)

The owner or operator of an affected facility that has a heat input capacity of 73 MW (250 million Btu/hour) or less, and which has an annual capacity factor for residual oil having a nitrogen content of 0.30 weight percent or less, natural gas, distillate oil, or any mixture of these fuels, greater than 10 percent (0.10) shall:

§60.48b(g)(1)

Comply with the provisions of paragraphs (b), (c), (d), (e)(2), (e)(3), and (f) of §60.48b, or

§60.48b(g)(2)

Monitor steam generating unit operating conditions and predict nitrogen oxides emission rates as specified in a plan submitted pursuant to §60.49b(c).

[45CSR13, R13-2572A, B.5., 45CSR16 and 40 C.F.R. 60, Subpart Db]

- 5.2.3. In order to determine compliance with the limit set forth in Requirement 5.1.3. the permittee shall either perform monthly testing in accordance with 40 CFR Part 60, Appendix A, Method 22, or install a certified continuous opacity monitoring system. If any emissions are observed during Method 22 testing, the permittee shall immediately investigate the cause(s), take corrective action, and repeat the Method 22 test. If emissions are observed during the repeat test, the permittee shall perform testing in accordance with 40 CFR Part 60, Appendix A, Method 9 within 3 days. Records of the Method 22 testing and any necessary Method 9 testing shall be retained on site, or accessible electronically from the site, by the permittee for at least five (5) years. Upon request the records shall be certified and made available to the Director or his/her duly authorized representative.

[45CSR13, R13-2572A, A.3.; R13-0009A, 4.2.1. and 45CSR§30-5.1.c.]

- 5.2.4. The pertinent monitoring sections of 40 CFR 63, Subpart DDDDD - “National Emissions Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters” (Attachment C of this Permit) - are applicable to the new natural gas fired Boiler #5 (Emission Point ID 007-06):

63.7505(d) What are my general requirements for complying with this subpart?

63.7525 (a)(1) through (a)(4) What are my monitoring, installation, operation, and maintenance requirements?

63.7535 (a), (b), (c) How do I monitor and collect data to demonstrate continuous compliance?

[45CSR34 and 40 C.F.R. 63, Subpart DDDDD]

5.3. Testing Requirements

- 5.3.1. The pertinent sections of 40 CFR 60, Subpart Db, applicable to this facility (Boiler #5, Emission Point ID 007-06) are:

§60.46b(c)

Compliance with the nitrogen oxides emission standards under §60.44b shall be determined through performance testing under paragraph (e) or (f), or under paragraphs (g) and (h) of §60.46b, as applicable.

§60.46b(e)

To determine compliance with the emission limits for nitrogen oxides required under §60.44b, the owner or operator of an affected facility shall conduct the performance test as required under §60.8 using the continuous system for monitoring nitrogen oxides under §60.48(b).

§60.46b(e)(1)

For the initial compliance test, nitrogen oxides from the steam generating unit are monitored for 30 successive steam generating unit operating days and the 30-day average emission rate is used to determine compliance with the nitrogen oxides emission standards under §60.44b. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.

[45CSR13, R13-2572A, B.5., 45CSR16 and 40 C.F.R. 60, Subpart Db]

- 5.3.2. The pertinent testing requirement of 40 CFR 63, Subpart DDDDD - "National Emissions Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters" (Attachment C of this Permit) - is applicable to the new natural gas fired Boiler #5 (Emission Point ID 007-06):

§ 63.7505 (d)(3) What are my general requirements for complying with this subpart?

§ 63.7510 (c) What are my initial compliance requirements and by what date must I conduct them?

[45CSR34 and 40 C.F.R. 63, Subpart DDDDD]

- 5.3.3. Testing per Requirement 5.1.9.

5.4. Recordkeeping Requirements

- 5.4.1. The pertinent sections of 40 CFR 60, Subpart Db, applicable to this facility (Boiler #5, Emission Point ID 007-06) are:

§60.44b(i)

Except as provided under §60.44b(j), compliance with the emission limits under Requirement 5.1.11. (§60.44b) is determined on a 30-day rolling average basis.

§60.48b(d)

The 1-hour average nitrogen oxides emission rates measured by the continuous nitrogen oxides monitor required by Requirement 5.2.2. (§60.48b(b)) and required under §60.13(h) shall be expressed in ng/J or

lb/million Btu heat input and shall be used to calculate the average emission rates under Requirement 5.1.11. (§60.44b). The 1-hour averages shall be calculated using the data points required under §60.13(b). At least 2 data points must be used to calculate each 1-hour average.

§60.49b(d)

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

§60.49b(g)

Except as provided under paragraph (p) of §60.49b, the owner or operator of an affected facility subject to the nitrogen oxides standards under §60.44b shall maintain records of the following information for each steam generating unit operating day:

§60.49b(g)(1)

Calendar date.

§60.49b(g)(2)

The average hourly nitrogen oxides emission rates (expressed as NO₂) (ng/J or lb/million Btu heat input) measured or predicted.

§60.49b(g)(3)

The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days.

§60.49b(g)(4)

Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emissions standards under §60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken.

§60.49b(g)(5)

Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.

§60.49b(g)(6)

Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.

§60.49b(g)(7)

Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

§60.49b(g)(8)

Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.

§60.49b(g)(9)

Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3.

§60.49b(g)(10)

Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix f, Procedure 1.

[45CSR13, R13-2572A, B.5., 45CSR16 and 40 C.F.R. 60, Subpart Db]

- 5.4.2. Compliance with the record keeping Requirement 5.4.1. (§60.49b(d)) shall demonstrate compliance with the maximum combustion limit for the Boiler #5 set forth in Requirement 5.1.2, provided that such records shall be

retained on site, or accessible electronically at the site for at least five (5) years. Compliance with the hourly fuel usage limit shall be determined on a per month basis. Compliance with the annual fuel usage limit shall be determined using a rolling yearly total. A twelve (12) month rolling total shall mean the sum of the natural gas consumed for the previous twelve (12) consecutive months. Upon request the records shall be certified and made available to the Director or his/her duly authorized representative. Compliance with the Requirement 5.1.2. will also demonstrate compliance with the Boiler #5 hourly and annual emission limits for PM₁₀, SO₂ and VOC set forth in Requirement 5.1.1.

[45CSR13, R13-2572A, A.2. and B.6. and 45CSR§30-5.1.c.]

- 5.4.3. Compliance with the Boiler #5 hourly emission limits for NO_x and CO set forth in Requirement 5.1.1. shall be determined on a 30-day rolling average basis as per Requirements 5.4.1. ~~and 5.4.7.~~ Compliance with the annual emission limits shall be determined on a 12-month rolling total basis. Compliance with the NO_x hourly emission limit for Boiler #5 set forth in Requirement 5.1.11. will be demonstrated if compliance with the NO_x hourly emission limit for Boiler #5 set forth in Requirement 5.1.1. is demonstrated. Compliance with the CO emission limit for Boiler #5 set forth in Requirement 5.1.13. will be demonstrated if compliance with the CO emission limit for Boiler #5 set forth in Requirement 5.1.1. is demonstrated.

[45CSR§30-5.1.c., 40CFR60.49b(i), 40CFR60.49b(g)(3), 40CFR60.49b(g)(10) and 40CFR63.7525(a)]

- 5.4.4. To demonstrate compliance with the maximum combustion limits for Boilers #3 and #4 set forth in Requirements 5.1.6. and 5.1.7. the owner or operator shall maintain records of the operating schedule and the quantity and quality of No. 2 fuel oil consumed in by each of the fuel burning units. Compliance with the hourly combustion limit shall be determined on a per month basis. Compliance with the maximum annual combustion limit shall be determined using a twelve (12) month rolling total. A twelve (12) month rolling total shall mean the sum of the No. 2 fuel oil consumed for the previous twelve (12) consecutive months. Such records shall be retained on site by the permittee for at least five (5) years.

Compliance with the maximum combustion limits will demonstrate compliance with the emission limits set forth in Requirements 5.1.4. and 5.1.5. Upon request the records shall be certified and made available to the Director or his/her duly authorized representative.

[45CSR13, R13-0009A, 4.4.4.; 45CSR§2-8.3.c. and 45CSR§30-5.1.c.]

- 5.4.5. A record of each visible emission observation and opacity evaluation per Requirement 5.2.3. shall be maintained on site, or accessible electronically at the site for a period of no less than five (5) years and shall be made available to the Director or his/her duly authorized representative upon request. Said records shall include the date, time, name of emission unit, the applicable visible emission requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.

[45CSR13, R13-0009A, 4.4.5. and 45CSR§30-5.1.c.]

- 5.4.6. Reserved.

- 5.4.7. The pertinent recordkeeping requirements of 40 CFR 63, Subpart DDDDD - "National Emissions Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters" (Attachment C of this Permit) - are applicable to the new natural gas fired Boiler #5 (Emission Point ID 007-06):
 63.7525(a)(5), (a)(6) What are my monitoring, installation, operation, and maintenance requirements?
 63.7545 (a), (c), (e)(1) through (e)(9) What notifications must I submit and when?
 63.7555 (a), (b)(1) through (b)(5) What records must I keep?
 63.7560 In what form and how long must I keep my records?

[45CSR34 and 40 C.F.R. 63, Subpart DDDDD]

5.5. Reporting Requirements

- 5.5.1. The pertinent sections of 40 CFR 60, Subpart Db, applicable to this facility (Boiler #5, Emission Point ID 007-06) are:

§60.49b(a)

The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by §60.7. This notification shall include:

§60.49b(a)(1)

The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility,

§60.49b(a)(2)

If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), (c), (d), (e), (I), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(I),

§60.49b(a)(3)

The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired, and,

§60.49b(b)

The owner or operator of each affected facility subject to the sulfur dioxide, particulate matter, and/or nitrogen oxides emission limits under §60.42b, 60.43b, and 60.44b shall submit to the Administrator the performance test data from the initial performance test and the performance evaluation of the CEMS using the applicable performance specifications in appendix B. The owner or operator of each affected facility described in §60.44b(j) or §60.44b(k) shall submit to the Administrator the maximum heat input capacity data from the demonstration of the maximum heat input capacity of the affected facility.

§60.49b(c)

The owner or operator of each affected facility subject to the nitrogen oxides standard of §60.44b who seeks to demonstrate compliance with those standards through the monitoring of steam generating unit operating conditions under the provisions of §60.48b(g)(2) shall submit to the Administrator for approval a plan that identifies the operating conditions to be monitored under §60.48b(g)(2) and the records to be maintained under §60.49b(j). This plan shall be submitted to the Administrator for approval within 360 days of the initial startup of the affected facility. The plan shall:

§60.49b(c)(1)

Identify the specific operating conditions to be monitored and the relationship between these operating conditions and nitrogen oxides emission rates (i.e., ng/J or lbs/million Btu heat input). Steam generating

unit operating conditions include, but are not limited to, the degree of staged combustion (i.e., the ratio of primary air to secondary and/or tertiary air) and the level of excess air (i.e., flue gas oxygen level);

§60.49b(c)(2)

Include the data and information that the owner or operator used to identify the relationship between nitrogen oxides emission rates and these operating conditions;

§60.49b(c)(3)

Identify how these operating conditions, including steam generating unit load, will be monitored under §60.48b(g) on an hourly basis by the owner or operator during the period of operation of the affected facility; the quality assurance procedures or practices that will be employed to ensure that the data generated by monitoring these operating conditions will be representative and accurate; and the type and format of the records of these operating conditions, including steam generating unit load, that will be maintained by the owner or operator under §60.49b(j).

If the plan is approved, the owner or operator shall maintain records of predicted nitrogen oxide emission rates and the monitored operating conditions, including steam generating unit load, identified in the plan.

§60.49b(h)

The owner or operator of any affected facility in any category listed in paragraphs (h)(1) or (2) of *this section* is required to submit excess emission reports for any excess emissions which occurred during the reporting period.

§60.49b(h)(1)

Any affected facility subject to the opacity standards under §60.43b(e) or to the operating parameter monitoring requirements under §60.13(i)(1).

§60.49b(h)(2)

Any affected facility that is subject to the nitrogen oxides standard of §60.44b, and that

60.49b(h)(2)(i)

Combusts natural gas, distillate oil, or residual oil with a nitrogen content of 0.3 weight percent or less, or

§60.49b(h)(2)(ii)

Has a heat input capacity of 73 MW (250 million Btu/hour) or less and is required to monitor nitrogen oxides emissions on a continuous basis under §60.48b(g)(1) or steam generating unit operating conditions under §60.48b(g)(2).

§60.49b(h)(3)

For the purpose of §60.43b, excess emissions are defined as all 6-minute periods during which the average opacity exceeds the opacity standards under §60.43b(f).

§60.49b(h)(4)

For purposes of §60.48b(g)(1), excess emissions are defined as any calculated 30-day rolling average nitrogen oxides emission rate, as determined under §60.46b(e), which exceeds the applicable emission limits in §60.44b.

§60.49b(o)

All records required under §60.49b shall be maintained by the owner or operator of the affected facility for a period of 2 years following the date of such record.

§60.49b(v)

The owner or operator of an affected facility may submit electronic quarterly reports for SO₂ and/or NO_x and/or opacity in lieu of submitting the written reports required under paragraphs (h) of §60.49b. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format.

§60.49b(w)

The reporting period for the reports required under this subpart is each 6 month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

[45CSR13, R13-2572A, B.5., 45CSR16 and 40 C.F.R. 60, Subpart Db]

- 5.5.2. The pertinent reporting requirements of 40 CFR 63, Subpart DDDDD - “National Emissions Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters” (Attachment C of this Permit) - are applicable to the new natural gas fired Boiler #5 (Emission Point ID 007-06):

§ 63.7550 (a), (b), (c), (e), (f), (g) What reports must I submit and when?

[45CSR34 and 40 C.F.R. 63, Subpart DDDDD]

5.6. Compliance Plan

- 5.6.1. N/A

6.0. Wastewater Treatment Plant Specific Requirements

6.1. Limitations and Standards

- 6.1.1. Emergency generator, EG1, shall be a permanently installed Caterpillar 3406 diesel-fired electric generator with a maximum rating of 483 horsepower.

[45CSR13, R13-2486A, A.1.]

- 6.1.2. Emergency generator, EG1, shall be limited to a maximum operating schedule of 500 hours per year.

[45CSR13, R13-2486A, A.2.]

- 6.1.3. The diesel-fired engine used to power EG1 shall be fueled only with Grade No. 2 Diesel Fuel.

[45CSR13, R13-2486A, A.4.]

- 6.1.4. The Emergency generator, EG1, shall comply with all applicable requirements of 45CSR7. The provisions of 45CSR7, applicable to the Emergency generator, are:

§45-7-3.1

No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in subsections 3.2, 3.3, 3.4, 3.5, 3.6, and 3.7.

§45-7-3.2

The provisions of subsection 3.1 shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period.

[45CSR13, R13-2486A, B.1.]

- 6.1.5. Maximum allowable emissions to the atmosphere from sources listed below shall not exceed the following annual limitations:

Emission Point	Acrylonitrile, TPY
008-06 - Wastewater Treatment Process	15.5

[45CSR13, R13-1886B, 4.1.7A-10.]

- 6.1.6. Maximum allowable 1,3 butadiene emissions to the atmosphere from sources listed below shall not exceed the following annual limitations:

Emission Point	1,3 Butadiene, lb/yr
008-06 - Wastewater Treatment Process (Consent Order Emission Point ID NA/L1)	600

[Consent Order CO-R27-92-18, III.2. State-Enforceable only.] [\[45CSR13, R13-1886E, 4.1.7.\]](#)

6.2. Monitoring Requirements

- 6.2.1. The permittee shall monitor operating hours of the Emergency generator EG1.
[45CSR§30-5.1.c.]

6.3. Testing Requirements

- 6.3.1. If requested by the Director, the Company shall submit a detailed plan and test protocol to the Director for approval of methods to demonstrate compliance with the emission limits set forth in Requirement 6.1.5. and 6.1.6. The Director reserves the right to require specific valid test methods for the determination of toxic air pollutant emissions from any source notwithstanding the specification or identification of test methods proposed in Requirement 6.1.5. and 6.1.6.

[Consent Order CO-R27-92-18, III.5. State-enforceable only.]

6.4. Recordkeeping Requirements

- 6.4.1. For the purpose of determining compliance with permit limits based on the emergency generator operation as described in Specific Requirements 6.1.2., the permittee shall maintain daily record of the hours the generator is operated and all maintenance/repair activity performed using the sample record keeping format appended hereto as Attachment D. Compliance with the annual operating limit shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the amount of hours operated at any given time during the previous twelve (12) consecutive calendar months. All records are to be maintained on site or accessible electronically at the site for a period of not less than five (5) years. At the request of the Director or his/her duly authorized representative, records shall be certified by a "Responsible Official" and shall be made available to the Director or his/her duly authorized representative.

Records shall be deemed to be "maintained on site" if they are kept in an electronic format off-site, but are accessible from the site.

[45CSR13, R13-2486A, A.3. and B.2. and 45CSR§30-5.1.c.]

- 6.4.2. For the purpose of determining compliance with the Requirement 6.1.3., the permittee shall keep records of type of fuel purchased for the emergency generator EG1.

[45CSR§30-5.1.c.]

6.4.3. For the purpose of determining compliance with the permit limit set forth in Requirement 6.1.5., the permittee shall perform monthly emission calculations. Compliance with the annual emission limit shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the emissions at any given month during the previous twelve (12) consecutive calendar months. Such records shall be retained on site, or accessible electronically at the site by the permittee for at least five (5) years.
[45CSR§30-5.1.c.]

6.4.4. For the purpose of determining compliance with the permit limit set forth in Requirements 6.1.6., the permittee shall perform monthly emission calculations. Such records shall be retained on site, or accessible electronically at the site by the permittee for at least five (5) years.
[45CSR§30-5.1.c. State-enforceable only.]

6.5. Reporting Requirements

6.5.1. None

6.6. Compliance Plan

6.6.1. N/A